

AMENDED

Serial No.

53365

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

ASSIGNED

Date of filing in State Engineer's Office JUN 8 1989
 Returned to applicant for correction JUL 11 1989
 Corrected application filed JUL 13 1989 Map filed JUL 13 1989 under 44296

The applicant SMOKY VALLEY MINING DIVISION, COPPER RANGE COMPANY

P. O. Box 480

of Round Mountain

Street and No. or P.O. Box No.

City or Town

Nevada 89045

State and Zip Code No.

hereby make^{SS} application for permission to change the

point of diversion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under

Permit 44296

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

- The source of water is Underground - Well No. 1
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 3.0 cfs
Second feet, acre feet, One second foot equals 448.83 gallons per minute.
- The water to be used for mining, milling and domestic.
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for mining, milling and domestic.
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, T. 10 N., R. 44 E., MDM., at a point from which the NE corner of said Section 20 bears North 57°38'20" East a distance of 6,106 feet.
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
- The existing permitted point of diversion is located within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, T. 10 N., R. 44 E., MDM., at a point from which the NW corner of said Section 19 bears North 42°44' West a distance of 3,720 feet.
If point of diversion is not changed, do not answer.
- Proposed place of use within Sections 17, 18, 19, 20, 29 and 30, T. 10 N., R. 44 E., MDM (portions unsurveyed), and Sections 13, 23, 24, 25 and 26, T. 10 N., R. 43 E., MDM.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use within Sections 17, 18, 19, 20, 29 and 30, T. 10 N., R. 44 E., MDM (portions unsurveyed), and Sections 13, 23, 24, 25 and 26, T. 10 N., R. 43 E., MDM.
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Decline shaft up to two miles in length.
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
Extensive pumping system involving approximately six pumping stations.
- Estimated cost of works \$250,000
- Estimated time required to construct works Four years.

14. Estimated time required to complete the application of water to beneficial use..... Ten years.

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water is to be commingled with other water rights owned by permittee. For
Place of Use map, use map filed in support of Permit 44296.

s/ Ross E. de Lipkau

By..... P. O. Box 2790
Reno, Nv 89505

Compared..... pm/ jm..... ab/se.....

Protested.....

APPROVAL..... OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 44296 is issued subject to the terms and conditions imposed in said Permit 44296 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 3.0..... cubic feet per second..... but not to exceed 2172 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... May 26, 1994

Proof of completion of work shall be filed before..... June 26, 1994

Application of water to beneficial use shall be made on or before..... May 26, 1995

Proof of the application of water to beneficial use shall be filed on or before..... June 26, 1995

Map in support of proof of beneficial use shall be filed on or before..... N/A

Completion of work filed..... IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed..... my office, this..... 7th..... day of..... July.....

Cultural map filed..... A.D. 19..... 93

Certificate No..... Issued.....
2407 (Rev. 6-81) SEE PAGE 2

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(PERMIT TERMS CONTINUED)

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 536; 1077, Certificate 267; 2908, Certificate 353; 3898, Certificate 2347; 12442, Certificate 3831; 12445, Certificate 3832; 12768, Certificate 3751; 14119, Certificate 4889; 26649; 26650; 26652; 26796; 44297; 44298; 44299; 44300; 50971; 51577, Certificate 13185; 51578, Certificate 13186; 52083; 53365; 55498; 55499; 55500; 55501; 55502 and 55503 shall not exceed 13,910 acre-feet annually.

Monthly reports shall be kept of the amount of water pumped from each point of diversion under the control of the permittee, the amount of water consumptively used and any water disposed of, in addition to what method of disposal was used. The records must be submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

Abrogated By: Per. 68205T 1.0
 Per. 68219T 0.005
 Per. 68220T 0.005
 Per. 68221T 0.01
 Per. 68222T 0.01
 Per. 68223T 0.01
 Per. 68224T 0.01
 Per. 68225T 0.01
 P 72250T 0.068 EX 4-11-06
 P 72251T 0.068 EX 4-11-06

P 73010T 0.3
 P 73011T 0.005
 P 73012T 0.01
 P 73013T 0.01
 P 73014T 0.01
 P 73015T 0.01
 P 73016T 0.89
 P 73017T 0.22

Exp
10-16-06

